

**THIS IS TO NOTIFY YOU THAT THE CITY IS CONSIDERING ADOPTION OF LAND USE REGULATIONS THAT MAY AFFECT THE PERMISSIBLE USES OF YOUR PROPERTY**

(Land Use File ZA-10-02)



**MILWAUKIE**  
*Dogwood City of the West*

**No changes are being proposed to your property's zoning designation or to the uses allowed in your property's zone.**

**Why is the City sending this notice?**

You are receiving this notice because you own property in the City. State law requires the City to inform you about proposed changes to land use regulations that may affect what you can do on your property. Every property owner in the City is receiving this notice.

**How will the proposed regulations affect your property?**

Most of the proposed regulations are procedural in nature and are expected to have very little, if any, affect if you continue to use your property in the same way that you are using it now.

If you are thinking about changing the uses or the buildings on your property, the proposed regulations may affect what you could do and/or the process that you would have to go through to get your project approved.

If you obtain land use approval for future changes to your property, the proposed regulations require utilization of the approval within a specified time frame. If the approval is not utilized or extended, it would expire.

City land use regulations are one of many factors that affect property value. Other factors include the economy, your treatment of the property, and the condition of neighboring properties. Since the proposed regulations are not changing your property's zoning designation or the uses allowed in your zone, they are not expected to affect your property's value.

**Why is the City proposing to change its land use regulations?**

The City is proposing to change its land use regulations, which are located in Title 19 of the Milwaukie Municipal Code, to modernize and improve the effectiveness of its land use and development review process. This process is a basic and important City function that is meant to provide fair and timely review of development proposals, allow for meaningful public involvement, and facilitate quality development. Please see the project overview flowchart in this notice for more detailed information about the types of procedural changes being proposed. The purpose of the proposed changes is to create a smart, flexible, and local zoning code.

**How to comment on and learn more about the proposed regulations.**

**Project Info:** The proposed regulations are the result of a year-long project to modernize and improve the effectiveness of the City's zoning code known as the *Land Use and Development Review Tune-Up Project*. More information about the project is available here: <http://www.cityofmilwaukie.org/planning/land-use-and-development-review-code-tune-project>.

The proposed regulations, all supporting documents, and all applicable City ordinances are available at the Planning Department or online at: <http://www.cityofmilwaukie.org/planning/land-use-and-development-review-code-tune-project>. Copies may be purchased at a reasonable cost from the Planning Department.

The proposed regulations amend the text of the City's Zoning Ordinance, which is Title 19 of the Milwaukie Municipal Code. The City has determined that adoption of these regulations may affect the permissible uses of your and other properties within the City, and may change the value of property within the City.

**Public Hearing Info:** On **Jan 25, 2011**, the Milwaukie Planning Commission will hold a public hearing regarding the adoption of the proposed regulations (Land Use File ZA-10-02). Staff's report on the proposed regulations will be available in advance of this hearing after 8:00 a.m. on Wednesday, **Jan 19**, at the Planning Department, Ledding Library (local information shelf), and City Hall (10722 SE Main St). If the Planning Commission recommends approval, the proposed regulations will be considered for adoption by the Milwaukie City Council at another public hearing.

You are invited to attend any or all of the hearings and/or submit comments in writing in advance of the hearings to the Planning Department. You may also submit written comments or present verbal testimony at any or all of the hearings.

**Contact Info:** Planning Department  
6101 SE Johnson Creek Blvd  
Milwaukie, OR 97206  
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503-786-7630

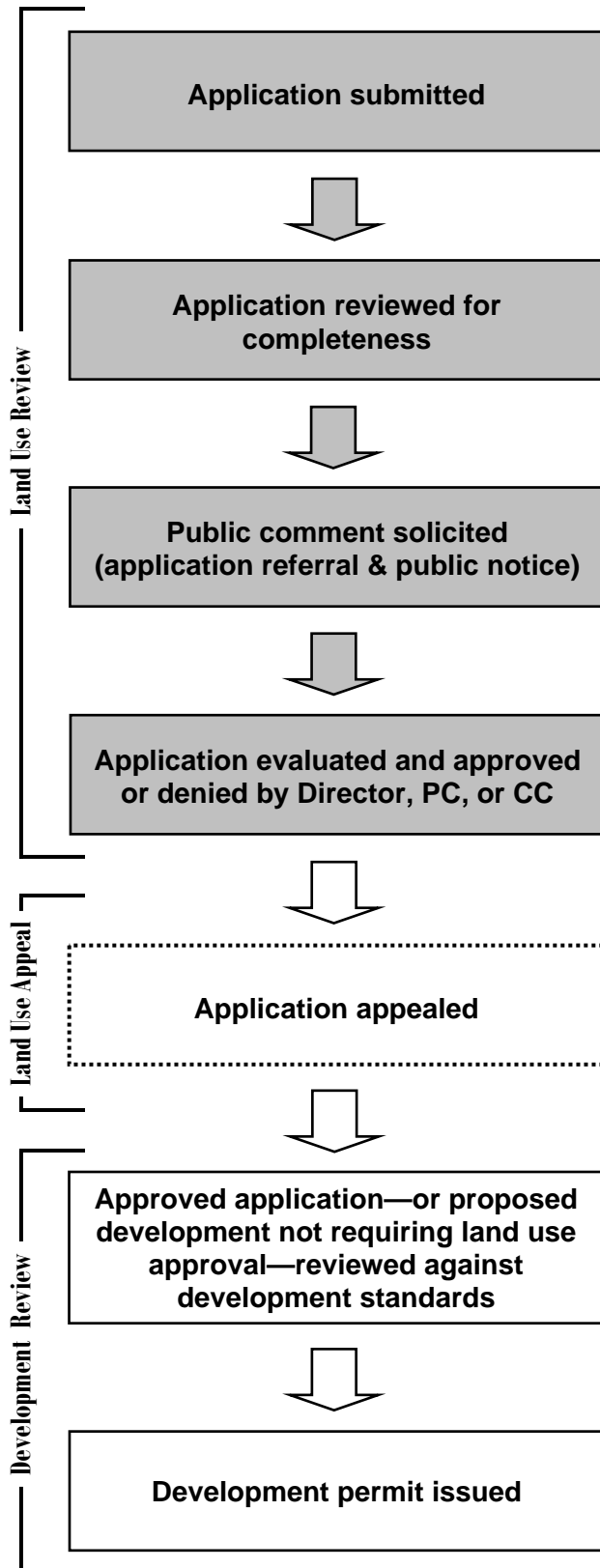
*For assistance/service per the Americans with Disabilities Act (ADA), dial TDD (503) 786-7555.*

Acronyms used on next page:

NDA: Neighborhood District Association  
Director: Planning Director  
PC: Planning Commission  
CC: City Council  
DLC: Design and Landmarks Committee

# Land Use and Development Review Tune-Up Project Overview

## Existing Review Process



The proposed regulations would change and improve the existing review process in the following ways:

- Lists all land use applications in one place
- Changes, adds, and deletes some types of land use applications to streamline and fill gaps in the review process
- Consolidates three applications for efficiency and fairness
- Requires preapplication conference prior to submission
  
- Makes completeness review consistent with State law
- Provides process for modifying complete application
  
- Codifies existing NDA referral process
- Eliminates newspaper notice as a *requirement*
- Streamlines Type II notice process
- Requires more and better site signage & Type IV notice
- Requires notice to PC & CC when code interpretation issued by Director
  
- Adds purpose statements to provide policy direction
- Improves approval criteria to allow for appropriate analysis and discretion consistent with level of review
- Imposes expiration date on all approved applications
- Allows some zone changes to be decided by PC
- Clarifies DLC, PC, and CC role in decision making process
  
- Limits CC appeals to de novo on the record review
- Does not allow for Type II elevation to PC but for on appeal
- Does not allow for Type I or II elevation to CC on appeal
  
- Adds new Development Review application to formalize existing practice and bridge the gap between the City's land use and development review functions
  
- Provides process whereby certain kinds of nonconforming uses may be discontinued by the City through amortization
- Provides for loss of conditional use status if use discontinued